

MAR 18 2004

Practitioner's Docket No.: 1135.26.DIV1

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: **John Francis Baxter, Jr.**  
SERIAL NO.: **10/604,617**  
FILING DATE: **08/05/2003**  
FOR: **AUDIO FILE TRANSMISSION METHOD**

ART UNIT: **2645**  
EXAMINER: **Foster, Roland G.**

Commissioner for Patents  
Office of Initial Patent Examination  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF REQUEST FOR CORRECTION**

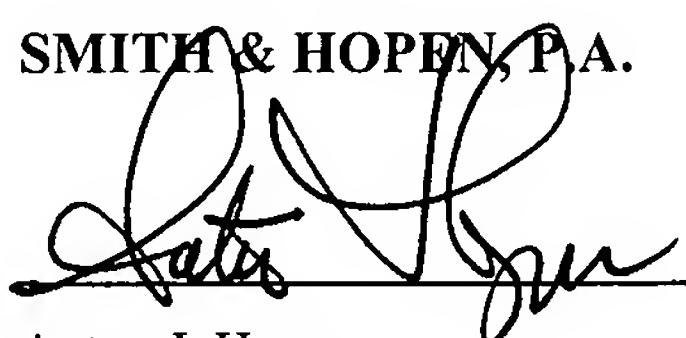
Sir,

Please accept the enclosed:

1. Applicant's Request for Correction of Filing Receipt;
2. A copy of the filing receipt received by counsel;
3. Application Data Sheet; and
4. A self-addressed, postage pre-paid postcard, to serve as a receipt for items 1 - 3.

Very respectfully,

**SMITH & HOPEN, P.A.**



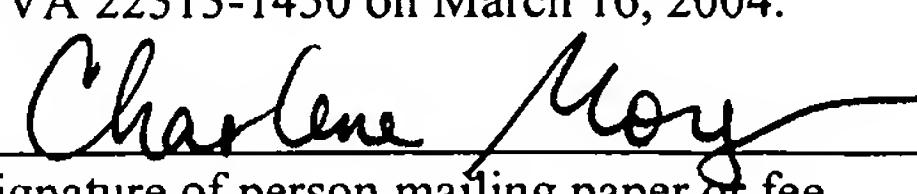
\_\_\_\_\_  
Anton J. Hopen  
15950 Bay Vista Drive, Ste. 220  
Clearwater, FL 33760  
(727)507-8558  
Attorneys for Applicant

**CERTIFICATE OF MAILING**

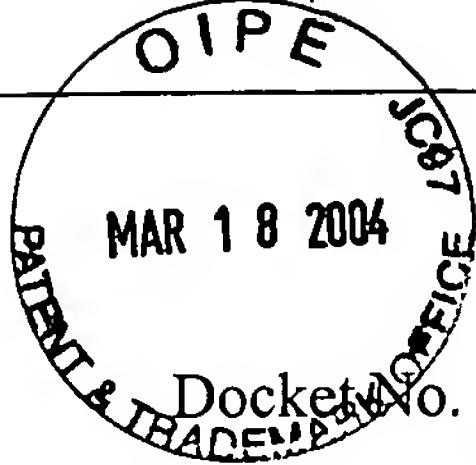
I HEREBY CERTIFY that this correspondence is being mailed by First Class Mail and is addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 16, 2004.

Charlene Morgan

Typed or printed name of person mailing paper or fee



\_\_\_\_\_  
Signature of person mailing paper or fee



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
JOHN FRANCIS BAXTER, JR )  
Serial No.: 10/604,617 )  
Art Unit: 2645  
Filed: 08/05/2003 )  
Examiner: Foster, Roland G.  
For: AUDIO FILE TRANSMISSION METHOD )

Commissioner for Patents  
Mail Stop OIPE Customer Service Center  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Sir:

We are in receipt of the attached Filing Receipt for the above-referenced application. We have compared the Filing Receipt with a copy of the application we have retained in our records and have determined that certain information was incorrectly entered into the PTO's system. The undersigned hereby requests that the **Non-Publication Request** be changed on the filing receipt and in the record of the above-mentioned application as follows:

*No* should be changed to *Yes*.

A copy of the original filing receipt is enclosed. The issuance of a corrected filing receipt is respectfully requested.

Respectfully submitted,

**SIGNATURE OF PRACTITIONER**

Anton J. Hopen  
Smith & Hopen, P.A.  
15950 Bay Vista Drive, Ste. 220  
Clearwater, FL 33760

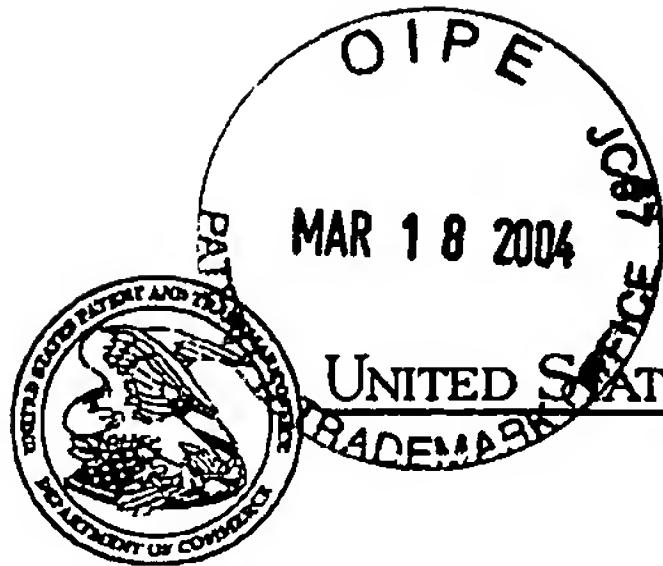
Reg. No. 41,849  
Tel. No.: (727) 507-8558

**CERTIFICATE OF MAILING**  
(37 C.F.R. 1.8)

I HEREBY CERTIFY that this Filing Receipt Correction is being deposited with the United States Postal Service by First Class Postage in an envelope addressed to: Commissioner for Patents, Office of Initial Patent Examination's Customer Service Center, United States Department of Commerce Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on Tuesday, March 16, 2004

Dated: 3/15/2004

Charlene Morgan



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/604,617	08/05/2003	2681	375	1135.26.DIV1	5	7	1

21901  
SMITH & HOPEN PA  
15950 BAY VISTA DRIVE  
SUITE 220  
CLEARWATER, FL 33760

**CONFIRMATION NO. 1616**  
**FILING RECEIPT**



\*OC000000011264239\*

Date Mailed: 11/13/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

John Francis Baxter JR., Marco Island, FL;

**Domestic Priority data as claimed by applicant**

This application is a DIV of 09/682,431 08/31/2001  
which is a CIP of 09/517,415 03/02/2000 PAT 6,385,306

**Foreign Applications**

If Required, Foreign Filing License Granted: 11/13/2003

Projected Publication Date: 02/19/2004

Non-Publication Request: No Yes

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Audio File Transmission Method



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

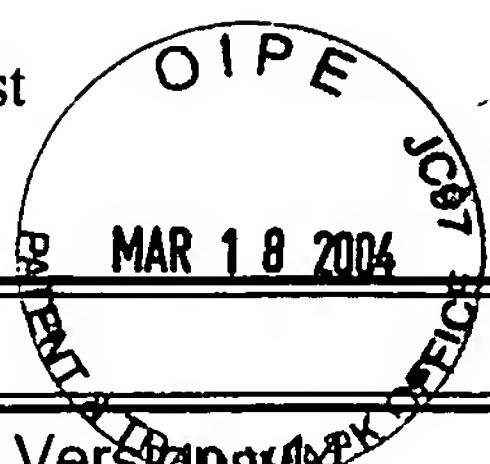
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## APPLICATION DATA SHEET

Electronic Version v14.0  
Stylesheet Version v14.0

## Title of Invention

Audio File Transmission Method

Application Type: regular, utility

Attorney Docket Number: 1135.26.DIV1

**Request Not To Publish**

I/We hereby request that the attached application not be published under 37 U.S.C. 122 (b).

I/We hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

## Correspondence address:

Customer Number: 21901 \*21901\*

## Continuing Data:

This is a Division of US application number 09/682,431, filed 2001-08-31 , now pending.

US application number 09/682,431, filed 2001-08-31 is a Continuation-in-part of US application number 09/517,415, filed 2000-03-02 , now US patent number 6,385,306, issued 2002-05-07.

## Inventor Information:

Inventor 1:

Applicant Authority Type: Inventor  
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Given Name: John  
Middle Name: Francis  
Family Name: Baxter  
Name suffix: Jr.

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**State of Residence:** FL  
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**State of Mailing Address:** FL  
**Postal Code of Mailing Address:** 34145  
**Country of Mailing Address:** US  
**Phone:**  
**Fax:**  
**E-mail:**

**Attorney Information:**

**practitioner(s) at Customer Number:**

21901      \*21901\*

as my attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

**Commissioner for Patents  
Office of Initial Patent Examination  
P.O. Box 1450  
Alexandria, VA 22313-1450**